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10 **UNITED STATES DISTRICT COURT**  
11 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

12 JENNIE QUAN, individually and as  
13 successor in interest to BENJAMIN  
14 CHIN, deceased,

15 Plaintiff,

16 v.

17 COUNTY OF LOS ANGELES;  
18 MARISOL BARAJAS; HECTOR  
19 VAZQUEZ; and DOES 3-10, inclusive,

20 Defendants.

21 Case No. 2:24-cv-04805-MCS(KSx)

22 **[PROPOSED] ORDER GRANTING  
DEFENDANTS' MOTION FOR  
SUMMARY JUDGMENT**

23 [Filed Concurrently With: 1)  
24 Defendants' Motion for Summary  
25 Judgment, or Partial Summary  
26 Judgment; 2) Declarations of Marisol  
27 Barajas, Hector Vazquez, Kyle Toves,  
28 Ed Flosi, and Jerad J. Miller; 3)  
[Proposed] Judgment; 4) Defendants'  
Separate Statement of Uncontested  
Facts in Support of Defendants' Motion  
for Summary Judgment, or Partial  
Summary Judgment

29 [Assigned to Hon. Mark C. Scarsi,  
30 Courtroom "7C"]

31 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

32 On November 3, 2025 at 9:00 a.m., in Department "7C" of the above-entitled  
33 Court, Defendants COUNTY OF LOS ANGELES, MARISOL BARAJAS AND  
34 HECTOR VAZQUEZ (collectively, "Defendants") Motion for Summary Judgment  
35 or Partial Summary Judgment came on regularly for hearing before this Court.  
36 Appearances are as noted on the record.

1        After full and fair consideration of the moving and supporting papers and  
2 evidence, the opposing papers and evidence, and the oral arguments of counsel, this  
3 Court finds as follows:

4        1.      As to Plaintiff JENNIE QUAN'S claim for Unreasonable Search and  
5 Seizure – Excessive Force (42 U.S.C. § 1983), the Court finds there are no triable  
6 issues of material fact, and that Defendants are entitled to judgment as a matter of  
7 law, and judgment is granted in favor of Defendants.

8        2.      As to Plaintiff JENNIE QUAN'S claim for Unreasonable Search and  
9 Seizure – Denial of Medical Care (42 U.S.C. § 1983), the Court finds there are no  
10 triable issues of material fact, and that Defendants are entitled to judgment as a matter  
11 of law, and judgment is granted in favor of Defendants.

12       3.      As to Plaintiff JENNIE QUAN'S claim for Municipal Liability –  
13 Ratification (42 U.S.C. § 1983), the Court finds there are no triable issues of material  
14 fact, and that Defendants are entitled to judgment as a matter of law, and judgment is  
15 granted in favor of Defendants.

16       4.      As to Plaintiff JENNIE QUAN'S claim for Municipal Liability – Failure  
17 to Train (42 U.S.C. § 1983), the Court finds there are no triable issues of material fact,  
18 and that Defendants are entitled to judgment as a matter of law, and judgment is  
19 granted in favor of Defendants.

20       5.      As to Plaintiff JENNIE QUAN'S claim for Municipal Liability –  
21 Unconstitutional Custom or Policy (42 U.S.C. § 1983), the Court finds there are no  
22 triable issues of material fact, and that Defendants are entitled to judgment as a matter  
23 of law, and judgment is granted in favor of Defendants.

24       6.      As to Plaintiff JENNIE QUAN'S claim for Battery (Wrongful Death),  
25 the Court finds there are no triable issues of material fact, and that Defendants are  
26 entitled to judgment as a matter of law, and judgment is granted in favor of  
27 Defendants.

28       7.      As to Plaintiff JENNIE QUAN'S claim for Negligence (Wrongful

1 Death), the Court finds there are no triable issues of material fact, and that Defendants  
2 are entitled to judgment as a matter of law, and judgment is granted in favor of  
3 Defendants.

4       8. As to Plaintiff JENNIE QUAN'S claim for Violation of Cal. Civil Code  
5 § 52.1 (Bane Act), the Court finds there are no triable issues of material fact, and that  
6 Defendants are entitled to judgment as a matter of law, and judgment is granted in  
7 favor of Defendants.

8       9. As to Plaintiff JENNIE QUAN'S prayer for relief for punitive damages  
9 against Defendants, the Court finds there are no triable issues of material fact, and  
10 that Defendants are entitled to judgment as a matter of law, and judgment is granted  
11 in favor of Defendants.

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13       **IT IS SO ORDERED.**

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15 DATED: \_\_\_\_\_, 2025

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HONORABLE MARK C. SCARSI

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